

REMARKS

Entry of the foregoing amendments and reconsideration of the application in view of the above amendments and the following remarks are respectfully requested.

The Office Action

Claims 1-4, 6-8, and 13-23 were presented for examination.

Claims 1-4, 6-8, 13-17, and 20-23 are now in the application.

Claim 15 was rejected under 35 U.S.C. §112, first paragraph.

Claims 1-3, 14, and 21 stand rejected under 35 U.S.C. §102(b) as being anticipated by Suzuki (JP 11221948A) .

Claims 1, 3-4, and 14-15 stand rejected under 35 U.S.C. §102(b) as being anticipated by Van Horne (US Patent No. 5,067,705).

Claims 13, 17, 20, and 22-23 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Suzuki (JP 411221948A) in view of Smolenski (U.S. Patent No. 6,068,415).

Claims 1, 13, 15, 17 and 20 have been amended.

Claims 18-19 have been cancelled.

The Non-Art Rejections

The Examiner's rejection of claim 15 under 35 U.S.C. §112, first paragraph, has been addressed by an appropriate amendment. It is respectfully requested that this ground for rejection of claim 15 be withdrawn.

Claims 1-4, 14-15 and 21 are Distinguished over References

Claim 1 calls for a biasing member mounted to said image forming system on an upstream side of the paper guide, wherein the upstream side of the paper guide is in a direction opposite the direction of travel of the paper in the paper path. Suzuki is directed to preventing jams at the label printing device. Biasing spring 21 is located on the downstream side in label carrying direction. Van Horne discloses a printer medium including a biasing spring 138. Similar to Suzuki, the biasing spring 138 is mounted on the downstream side of the paper guide in the paper carrying direction. In contrast, claim 1 calls for the biasing member to be mounted on the upstream side of the paper guide, that is in the direction opposite to the paper carrying

direction. By locating the biasing member on the upstream side of the paper guide, trailing edge deletion prevention is accomplished, which minimizes the portion along the trailing edge of the paper that cannot be imprinted. Since both Suzuki and Van Horne locate their respective biasing springs on the downstream side, the ability to increase the printing area of a piece of paper is not being increased. Suzuki and Van Horne alone or in combination are not, therefore, directed to the concepts set forth in claim 1. It is therefore respectfully submitted that claim 1 and claims 2-4, 14-15 and 21, dependent on claim 1, distinguish patentably and unobviously over Suzuki and Van Horne.

Claims 13, 16, and 22 are Distinguished over References

Claim 13 calls for biasing a biasing member against a paper guide on an upstream side of the paper guide, wherein the upstream side of the paper guide is defined in a direction opposite the direction of travel of the paper in the paper path. Suzuki is directed to preventing jams at the label printing device. Biasing spring 21 is located on the downstream side in label carrying direction. Smolenski discloses a printer with a floating print head. Neither Suzuki, nor Smolenski, taken singularly or in combination discloses or suggests to mount the biasing member on the upstream side of the paper guide. It is therefore respectfully submitted that claim 13, and claims 16 and 22, dependent on claim 13, distinguish patentably and unobviously over Suzuki and Smolenski.

Claims 17, 6-8, 20, and 23 are Distinguished over References

Claim 17 calls for a biasing member mounted to said image forming system on an upstream side of the paper guide. Suzuki discloses a biasing spring 21 located on the downstream side in label carrying direction. (Fig. 1 and Solution). Smolenski discloses a printer with a floating print head and is not concerned with a biasing member. Neither Suzuki, nor Smolenski, taken singularly or in combination discloses or suggests mounting the biasing member on the upstream side of the paper guide. It is therefore respectfully submitted that claim 17, and claims 6-8, 20, and 23, dependent on claim 17, distinguish patentably and unobviously over Suzuki and Smolenski.

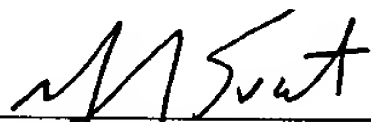
Applicant has reviewed additional art cited but not applied. As it is felt that the applied art is more relevant to the application, Applicant will not burden the record with a further discussion of this art.

CONCLUSION

In view of the foregoing, it is submitted all claims are now in condition for allowance. An early notice to that effect is therefore earnestly solicited.

Respectfully submitted,

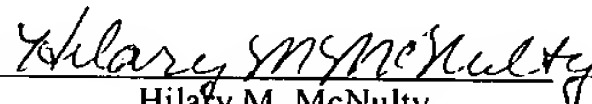
FAY, SHARPE, FAGAN,
MINNICH & McKEE, LLP



Mark S. Svat
Reg. No. 34,261
1100 Superior Avenue, 7th Floor
Cleveland, Ohio 44114-2518
(216) 861-5582

CERTIFICATE OF MAILING

I hereby certify that this Amendment C is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 on July 2, 2003.

By 
Hilary M. McNulty